

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2013-115-C - ORDER NO. 2013-248

APRIL 25, 2013

IN RE: Petition of MCImetro Access Transmission	)	ORDER REVERSING
Services, LLC d/b/a Verizon Access	)	NUMBERING
Transmission Services for Review of	)	DETERMINATION
NeuStar's Denial of Application for	)	
Numbering Resources	)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Petition of MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services (“Verizon Access” or the “Company”) for review of the Pooling Administrator’s (“PA’s”) central office code numbering resources decision to deny the Company’s request for a single Thousand Block of telephone numbers in the Columbia rate center (Area Code 803). Specifically, Verizon Access states that a large business customer requested that Verizon Access provide service using a block of 80 consecutive numbers, which facilitates the installation and management of the direct inward dialing (“DID”) arrangement used by the customer. The customer has stated that it will face a severe financial impact if its request is not granted.

According to the Company, it submitted a request for a Thousand Block in the Columbia Rate Center to the PA on March 22, 2013. Verizon Access states it does not have the numbers to meet its customer’s request and asks that the Commission reverse PA’s denial of its request.

The PA's refusal stems from the Federal Communications Commission's ("FCC") "rate center" basis for determining the need for new numbering resources. Under FCC rules, carriers must exhaust their numbering inventory within six months of the application and meet a rate center utilization threshold of 75 percent in order to receive additional numbering resources. However, the record reveals that at the time the numbering resource request was filed, Verizon Access did not meet the months-to-exhaust criterion.

Although Verizon Access fails to meet the PA's requirements, the FCC maintains a policy that "under no circumstances should customers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources." FCC 000-429 at ¶ 61. To this end, the FCC allows carriers to challenge a PA decision at the appropriate state regulatory commission. FCC 01-362 at ¶¶ 61-66; Central Office Code (NXX) Assignment Guidelines § 13.0. States may grant relief "if a carrier demonstrates that it has received a request for numbering resources in a given rate center that it cannot meet with its current inventory." FCC 01-362 at ¶ 64.

We find that the South Carolina Public Service Commission, as the regulator of the rates and service of telecommunications companies under the authority of S.C. Code Ann. § 58-9-210 et seq., has the authority under both the FCC's rules and the Central Office Code (NXX) Assignment Guidelines to review a decision by the PA denying a request for numbering resources. We further find that Verizon Access has demonstrated receipt of a customer request for numbering resources that it cannot meet with its current inventory. It is our opinion that these additional numbering resources are necessary for

Verizon Access to provide its customer with the required telecommunications service. We therefore reverse the PA's decision denying the Company's request, and, consequently, hold that the PA is directed to approve Verizon Access's request for the assignment of a block of one thousand consecutive numbers, in the Columbia Rate Center.

Further, the customer's letter explaining the circumstances discussed above is hereby held to be confidential, since it contains competitively sensitive information entitled to protection under the South Carolina Freedom of Information Act.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

  
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David A. Wright, Chairman

ATTEST:

  
\_\_\_\_\_  
Randy Mitchell, Vice Chairman

(SEAL)